



Natural Resources Board Minutes
January 14, 2020

Attendance:

Board Members by Phone:

Marty Illick, Vice Chair; Steve Larrabee, Member; Don Turner, Member; Brad Aldrich, Member

Board Members in Person:

Diane Snelling, Chair

Staff in Person:

Kimberley Lashua, Business Director; Greg Boulbol, General Counsel, Katie Emerson, Legal Technician

Staff by Phone: Aaron Brondyke, State Coordinator

Public: Kate McCarthy, Vermont Natural Resources Council

I. Meeting Convened

11:02pm Ms. Diane Snelling, NRB Chair, opened the meeting via phone conference, from 10 Baldwin Street, Montpelier, Vermont 05633-3201.

II. Opportunity for Public comment on non-agenda items.

The Chair invited public comments.
No comments were made.

III. Minutes of December 10, 2019

The Chair asked if there were any changes or corrections to the minutes of December 10, 2019. None were offered.

Mr. Don Turner made a motion to approve the minutes, Ms. Marty Illick seconded the motion. The minutes were unanimously approved with one abstention from Steve Larrabee.

IV. NRB office and budget updates

Ms. Kimberley Lashua presented budget and personnel updates.

Sabrina Urich joined the Rutland last Monday as an NRB Technician. Kim Lutchko moved from the Springfield office to the Rutland office and will be serving as trainer and mentor to Sabrina. She will continue to support District 3 remotely. The NRB is in recruitment for a second



Compliance and Enforcement Officer. Other updates include work on the annual report, due Feb 15 and staff started the application database training project in December. Ms. Lashua stated that the plan is to launch in March, and she is still anticipating opportunity for board and commission members to experience the application before it is launched to the public.

Regarding the budget, Ms. Lashua sent out updated information for the proposed FY21 Budget including the Ups and Downs and supporting information. Salaries and wages are increasing slightly, benefits are also increasing, operating expenses are down.

Ms. Marty Illick made a motion to approve the budget update, Mr. Don Turner seconded the motion. The budget update was unanimously approved.

V. CBES Stretch Guidelines Discussion

Mr. Greg Boulbol reminded the Board that information provided by Barry Murphy had been emailed to the board.

Mr. Steve Larrabee voiced his concerns regarding the costs of additional building standards requirements. He does not want to add costs to people who want to start or expand business or do construction in the state. Mr. Don Turner asked that since the CBES are being updated, can we just refer to those. Mr. Brad Aldrich agreed, he feels that the CBES are a good industry standard, he feels the proposed stretch code is overreaching.

Mr. Greg Boulbol clarified that the new CBES are more stringent than the current stretch code, with three or four areas that are not as well covered. He also said, the commercial stretch code, exists only for the purposes of Act 250, and is not currently applied at any other regulatory entity. The Department of Public Service does not have authority to draft commercial stretch code pursuant to Title 30 in the manner that it does for the residential code. Provided we don't adopt the stretch code, we will have to redraft our current procedures, and bring to the Board at the next meeting.

Mr. Don Turner made a motion to not update the stretch code once the 2020 CBES become effective, Mr. Brad Aldrich seconded the motion. The stretch code was not adopted with Ms. Marty Illick abstaining.

VI. Performance Standards

Mr. Aaron Brondyke gave an introduction to our performance standards. They have not been modified since 2002 and were in need of a rewrite to update and clear up some ambiguities. Board discussed proposal.



Ms. Marty Illick made a motion to accept the revised performance standards with date of Jan 14, 2020, Mr. Don Turner seconded the motion. The revised performance standards were passed unanimously.

VII. Legislative Update

Mr. Greg Boulbol gave an overview of a bill currently in the House Committee on Natural Resources that proposes a substantial overhaul of the way Act 250 is administered.

A member of the public, Kate McCarthy from the Vermont Natural Resources Council spoke about the bill and changes the VNRC hoped to see. VNRC liked the requirement for Board members to have a professional background and the consistency created by having one body making decisions for the entire state. VNRC also liked the shorter appeal process. The District commission and regional nature of Act250 has always been important to VNRC. They were more comfortable with the inclusion of two district representatives and having the hearings in the town the project will take place.

The bill is in early stages and could easily change, the committee has heard a high-level overview so far, and will have a more detailed walk through this afternoon. The Board has concerns but nothing specific at this time.

The Board would like regular email updates and if the bill gets close to approval to have a conversation. Ms. Diane Snelling will send a link with the most recent version of the bill to the Board.

VIII. Adjournment:

Mr. Don Turner made a motion to adjourn the meeting, Ms. Marty Illick seconded the motion. The meeting was unanimously adjourned at 12:13 P.M...